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Member of Lincoln's Inn

March 14, 2018

Via ECF and By Hand

The Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Defendant's Letter-Motion to Waive Right to Jury Trial
Pursuant to the Provisions of F.R.Crim.P. 23(a)(1).

United States of America v. Michael Little
Docket No. 12-cr-0647 (PKC)

Dear Judge Castel,

I write to inform the Court this letter-motion provides written notice I knowingly, voluntarily and intelligently waive my entitlement to a jury trial pursuant to the provisions of F.R.Crim.P. 23(a)(1) and ask this matter proceeds by way of a bench trial before Your Honor.

I am aware this request is subject to Government consent (F.R.Crim.P. 23(a)(2) and Court approval (F.R.Crim.P. 23(a)(3)). I have not made a request to the Government for an indication as to its position prior to filing this notice.

My reasons for making this request concern, *inter alia*, the disparate nature of the charges, the elapse of time, the elements of foreign law and the death, during the pendency of this matter of certain key fact witnesses.

These factors inform me that a jury may become confused due to any one of the cross-currents of evidence adduced at trial. I have considered the decision to waive a jury trial, and its consequences, carefully. I take comfort in His Honor Judge Kevin Duffy's dicta, stated with characteristic frankness:

"I don't know, most people don't recognize this, but maybe they should, if you're really not guilty and you have a case, you go without a jury trial, because most judges have a fine-tuned sense of beyond a reasonable doubt¹."

I am an attorney admitted to practice before this Court and a barrister granted rights of audience, to practise in all Courts in England and Wales. Accordingly, I consider myself have sufficient legal experience to make an informed decision about the waiver

¹ Dkt. No.125, Exhibit 1; Transcript of Suzanne Seggerman Allocution; December 7, 2010; 10-cr- 948 (PKC); Page 13, lines 8 -12.

Respectfully submitted,

/s/

Michael J. Little
Defendant (*Pro Se*)

cc: Sean M. Maher, Esq. (by email)
AUSA Christopher J. DiMase (via ECF)